

1 Jerry L. Marks (SBN 135395)
2 Email: jmarks@milbank.com
3 Aaron Renenger (SBN 222675)
4 Email: arenenger@milbank.com
5 MILBANK, TWEED, HADLEY & McCLOY LLP
6 601 S. Figueroa Street, 30th Floor
7 Los Angeles, California 90017
8 Telephone: (213) 892-4000
9 Facsimile: (213) 629-5063

10 David R. Gelfand (*admitted pro hac vice*)
11 Email: dgelfand@milbank.com
12 Rachel Penski Fissell (*admitted pro hac vice*)
13 Email: rfissell@milbank.com
14 MILBANK, TWEED, HADLEY & McCLOY LLP
15 1 Chase Manhattan Plaza
16 New York, NY 10005
17 Telephone: (212) 530-5000
18 Facsimile: (212) 822-5661
19 *Attorneys for Defendants STA Development, LLC,
CA I-10 Solar, LLC, Palo Verde Solar I, LLC,
Palo Verde Solar II, LLC, Blythe Solar Power Project
Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,
Blythe Solar Power Project Unit 3, LLC and
Blythe Solar Power Project Unit 4, LLC*

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 MMR GROUP, INC.,
19 MMR POWER SOLUTIONS, LLC and
20 SOUTHWESTERN POWER GROUP II, LLC,

Plaintiffs,

21 vs.

22 STA DEVELOPMENT, LLC (F/K/A SOLAR
23 MILLENNIUM, LLC), SOLAR TRUST OF
24 AMERICA, LLC, SOLAR MILLENNIUM AG,
25 SOLAR MILLENNIUM, INC., CA I-10
26 SOLAR, LLC, PALO VERDE SOLAR I, LLC,
27 PALO VERDE SOLAR II, LLC, BLYTHE
28 SOLAR POWER PROJECT UNIT 1, LLC,
BLYTHE SOLAR POWER PROJECT UNIT 2,
LLC, BLYTHE SOLAR POWER PROJECT
UNIT 3, LLC AND BLYTHE SOLAR POWER
PROJECT UNIT 4, LLC
Defendants.

Case No. 3:11-cv-01521-EMC

**SIXTH STIPULATION TO EXTEND
DEFENDANTS' TIME TO RESPOND
TO AMENDED COMPLAINT AND
[PROPOSED] ORDER**

The Honorable Judge
Edward M. Chen

STIPULATION

2 Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and
3 SOUTHWESTERN POWER GROUP II, LLC (collectively, “MMR”) and Defendants STA
4 DEVELOPMENT, LLC, SOLAR TRUST OF AMERICA, LLC, SOLAR MILLENNIUM, INC.,
5 CA I-10 SOLAR, LLC, PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR II, LLC,
6 BLYTHE SOLAR POWER PROJECT UNIT 1, LLC, BLYTHE SOLAR POWER PROJECT
7 UNIT 2, LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC AND BLYTHE SOLAR
8 POWER PROJECT UNIT 4, LLC (collectively, the “STAD Defendants”) respectfully request
9 that the Court extend the time for the STAD Defendants to respond to the Amended Complaint,
10 filed on October 4, 2011 (ECF No. 102) and served on the STAD Defendants on October 7, 2011,
11 by 14 days from December 27, 2011 to January 10, 2012.

12 On November 4th and 14th, the parties requested, and this Court later granted, a one-week
13 extension of time for the STAD Defendants to respond to the Amended Complaint because the
14 parties were in advanced stages of settlement discussions. On November 22nd and December 1st,
15 the parties requested, and this Court later granted, extensions of two weeks due to continued
16 progress in settlement negotiations. And on December 19, the parties requested and this Court
17 later granted an extension of one week. The timing of finalizing a settlement has been impacted
18 by several complex factors, but the parties continue to be hopeful that they will execute a
19 settlement agreement forthwith. Due to the upcoming holidays and the continued progress in
20 reaching a settlement, the parties request a 14 day extension of the time for the STAD Defendants
21 to respond to the Amended Complaint. The parties' request will have a *de minimis*, if any, impact
22 on the schedule. In the interests of judicial economy, the parties therefore request that Court
23 extend the STAD Defendants' time to respond to the Amended Complaint by 14 days from
24 December 27, 2011 to January 10, 2012.

1 Dated: December 27, 2011
2

MILBANK, TWEED, HADLEY & McCLOY LLP

3 By: /s/ Aaron Renenger
4

Jerry L. Marks (SBN 135395)
Aaron Renenger (SBN 222675)
601 S. Figueroa Street, 30th Floor
Los Angeles, California 90017
Telephone: (213) 892-4000
Facsimile: (213) 629-5063

6 David R. Gelfand (*admitted pro hac vice*)
7 Rachel Penski Fissell (*admitted pro hac vice*)
8 1 Chase Manhattan Plaza
New York, NY 10005
Telephone: (212) 530-5000
Facsimile: (212) 822-5661
9

10 Attorneys for Defendants STA Development, LLC,
Solar Trust of America, LLC, Solar Millennium, Inc.,
CA I-10 Solar, LLC, Palo Verde Solar I, LLC,
Palo Verde Solar II, LLC, Blythe Solar Power Project
Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,
Blythe Solar Power Project Unit 3, LLC and
Blythe Solar Power Project Unit 4, LLC
11
12
13

14 Dated: December 27, 2011
15

**WATT, TIEDER, HOFFAR
& FITZGERALD, LLP**

16 By: /s/ Nicholas A. Merrell
17

Bennett J. Lee (CA Bar No. 230482)
Nicholas A. Merrell (CA Bar No. 240795)
Regina A. Verducci (CA Bar No. 264996)
333 Bush Street, Suite 1500
San Francisco, CA 94104
Telephone: 415-623-7000
Facsimile: 415-623-7001
18
19
20
21
22
23

Attorneys for Plaintiffs MMR Group, Inc., MMR Power
Solutions, LLC and Southwestern Power Group II, LLC
24
25
26
27
28

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/27/11

